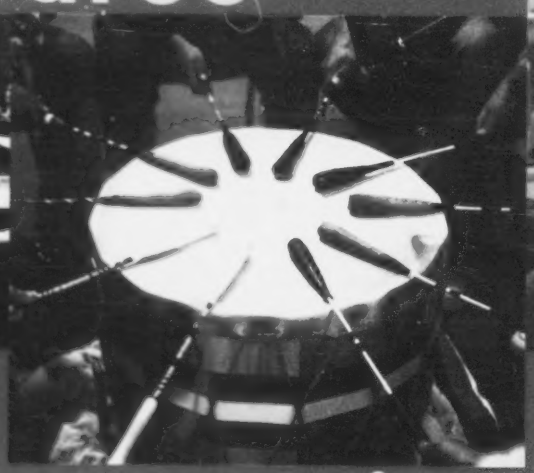
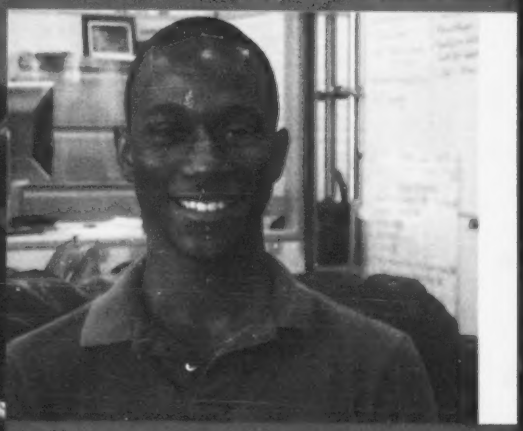
Provincial Advocate
for Children & Youth

Resource Voice Connection





Report to the Legislature 2010 | 2011

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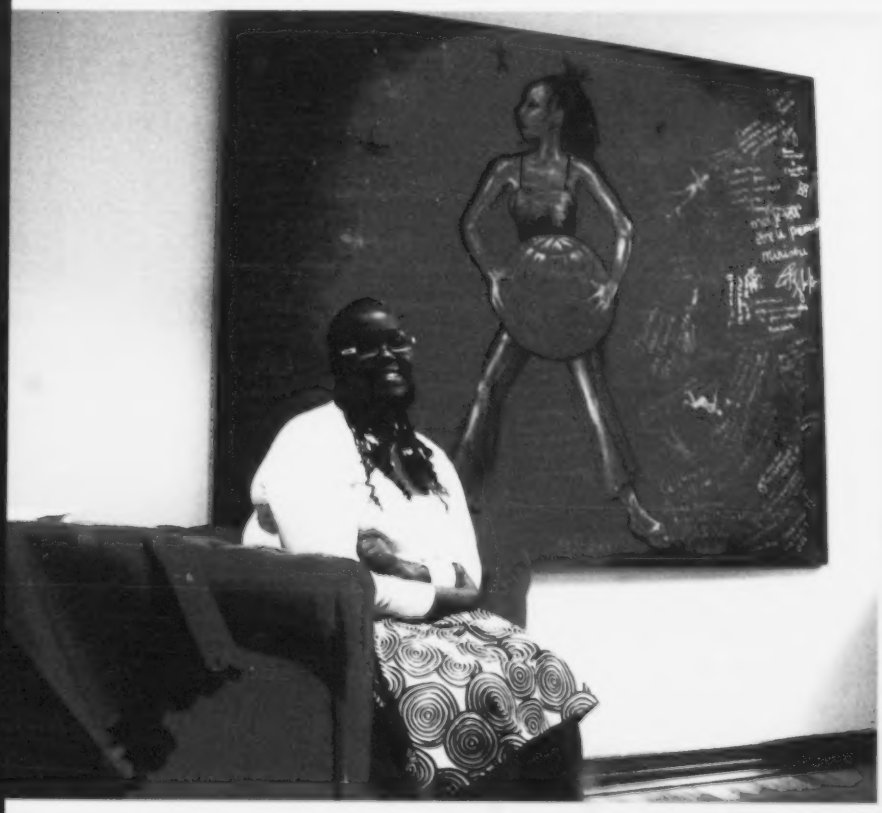
About Us

The Provincial Advocate for Children and Youth is an independent Office of the Legislature of Ontario. Employing a rights-based approach to advocacy, the Advocate's Office operates according to principles contained in the United Nations Convention on the Rights of the Child and responds to concerns of children, youth and families who are seeking or are receiving services under the *Ontario Child and Family Services Act* or the *Education Act* (Provincial and Demonstration Schools).

The Advocate's Office was established by the *Provincial Advocate for Children and Youth Act, 2007*. This legislation authorizes the Advocate's Office to:

- Provide an independent voice for children and youth by partnering with them to bring issues forward
- Encourage communication and understanding between children and families and those who provide them with services
- Educate children, youth and their caregivers regarding the rights of children and youth
- Be an exemplar of meaningful participation of children and youth through all aspects of advocacy services

The Advocate's Office is mandated to serve children and youth in Provincial care, and at the margins of Provincial care. Six groups of children and youth are included in this mandate: those connected to the child welfare system, the children's mental health system, the youth justice system, children and youth with special needs, or requiring the services of Provincial and Demonstration Schools, and First Nations children and youth.



The Office advocates on behalf of children and youth who request the Office's assistance, many by calling 1 800-263-2841. When a young person calls, Advocate's Office staff listen and, working together with the young person, an advocacy plan is drawn up. Then, with the young person's consent, the plan is acted upon. In many cases, staff travel to settings where children and youth reside to listen to their concerns directly, if that is what young people want, or in cases where more information is needed. We monitor the nature and number of the concerns arising from calls on behalf of individuals to determine if there are common themes or issues that should be addressed at a systemic level within the child and youth care system.

Letter from the Advocate

NOVEMBER 30, 2011

To the Children and Youth my Office is mandated to serve, I want you to know how honoured I am to serve you.

I have had the privilege of travelling across our province to hear your stories first-hand. I have met thousands of you at your child welfare agencies, in your group homes and foster homes, in custody facilities, mental health residences, schools and hospitals and at conferences and celebrations. Sharing your experiences with me and my staff has made this a meaningful and fulfilling year.

I know you often feel invisible and your voices are often silenced in matters that affect you and the lives of other young people you know. I share your concern. How else to explain the silence around the deaths of First Nation students who have to leave their home communities to attend high school in Thunder Bay. The silence from our government about the needs of young people leaving the Province's care. The silence you tell us that greets you when you raise your voice about the services you are receiving or wish to receive.

But you have raised your voice. And by doing so, you have made yourself visible. You have let those around you know you are "a *person* not a *case*" as one of you said to me this year. My Office is proud to partner with you in elevating your voice; in supporting you, as you create change and we create change together.

AJ, a former youth living in foster care, told us, "for most of my life I felt as if I was a passenger travelling in the vehicle of the life of AJ, driven by my guardian the child welfare system. One day I was abruptly handed the keys to my life and told to drive. But I had no driver's education."

AJ's feelings are shared by many of you. You have often told me how difficult it is to be in control of your own life, particularly with regard to the services you receive. You have told me how important this is to you and, remarkably, how much you want the opportunity to contribute so that life will be easier for those who come after you. I know there are many of you who have not yet found the opportunity to take control of your lives. I also know and believe that the work of those of you who have found your voice will help create the opportunity for others to find theirs.

This includes the young people of Attawapiskat, who along with the involvement of students at Gledhill Public School in Toronto and young people from across the country, created the report *Our Dreams Matter Too*. The report has now been delivered to the United Nations Committee on the Rights of the Child. Another example is the work of young people from the Regional Multicultural Youth Centre in Thunder Bay, from Turning Point Youth Services in Toronto, and from the Spot Youth Centre in North York, who altered the course of Inquests examining the deaths of several of their peers.

Young people in-and-from child welfare care calling themselves "Our Voice Our Turn", created a new course for policy development in Ontario by holding powerful hearings in partnership with the Legislative Assembly of Ontario and this Office – a first anywhere in Canada.

Over 4,000 of you have taken control of your lives by calling us and speaking up. We have worked with you in this activity. Sometimes following your lead, at other times taking the lead ourselves, but always working in partnership with you.

You have told me how difficult it is for you in our province's various "systems". You have told me how crucial supportive adults are in your ability to be successful, how important it is to find your voice, to be seen, and to feel like a person. In my travels, I have met many people who support you and who have become your natural advocates. Our Office will continue to seek out these natural advocates and work closely with them.

Most importantly, I can tell you our Office staff believe in you, all of you, and in your immense potential. This year you have demonstrated beyond any doubt just how well founded that belief is.

Irwin Elman
Provincial Advocate for Children and Youth

Individual Rights Advocacy

A young girl called from a treatment facility. She had cut her arm on purpose and wanted to know if she could refuse medical treatment – because facility staff were insistent on taking her to a hospital. An Advocate spoke to her and discovered this young person's reluctance to go to a hospital to receive necessary treatment was due to a group home 'rule' that anyone taken to hospital had to be "grounded" for 48 hours. The Advocate helped her negotiate with staff to take her to a clinic rather than a hospital for stitches. The young person received treatment and was not grounded.

Children and youth living in provincial care systems are, by definition, the province's children and responsibility. The province, by bringing them into care, has made a commitment to act as their parent on behalf of all Ontarians. Often coming from difficult circumstances and lacking stable families, these young people need society's care and attention more than most. However because of their circumstances they are often made to feel invisible and their concerns go unheard.

These youth comprise many of the young people who are served by the Office of the Provincial Advocate for Children and Youth. The Advocate's Office also advocates on behalf of children and youth with special needs and children from First Nations communities across the province.

These young people have the legal right to speak to an Advocate from the Office about the services they receive. They must be provided with the Office's contact information upon admission to any placement and on a quarterly basis. Posters indicating this information must also be visible in all child welfare residences, youth justice facilities and children's mental health residences.

Calls received by the Advocate's Office are generally about the services children and youth are receiving or about questions regarding their rights. Each call or email is treated with the utmost importance.

When a young person contacts the Office, their issues and concerns are addressed with compassion and respect. The young person works to create an advocacy plan with the assistance of an Individual Rights Advocate. The plan sets out who is to be contacted and how. In every case, the young person ultimately directs the course the advocacy plan will take.

When someone other than a young person contacts the Office on behalf of a child or youth an Individual Rights Advocate will, wherever possible, first communicate with the young person directly. Office staff need to obtain the young person's consent to move forward and, where possible develop an advocacy plan together. The Advocate's Office receives many calls or emails on behalf of the young people in its mandate and recognizes the vital role these third party supporters play in getting young people the services they need. These "natural" advocates often come from the community the child is living in and include, but are certainly not limited to, service providers, social workers, counselors, child and youth workers, care givers, teachers, clergy, friends, family members, coaches or neighbours. Natural advocates are an increasingly important source of support and referral for youth in care.

A young person at a treatment centre was concerned about the medication he was taking. He was not refusing treatment, but was unhappy because he did not know what each of the medications was for and whether there might be side effects. An Advocate assisted him in getting these topics on the agenda at his "plan of care" meeting and spoke with him about ways to approach the conversation. With the Advocate's support he was able to follow up with the psychiatrist to learn more about his medications, their side effects and when he could safely begin to reduce his treatment and dosages.

Staff at the Advocate's Office believe firmly the young people we serve possess a wisdom born of their lived experience, often in difficult circumstances. We believe this lived experience contains important information that can shape or improve our systems of care. The staff at the Advocate's Office are tasked with amplifying this wisdom, so it may be heard and used to change policy or practices within government Ministries and agencies that make up the provincial care system.

Resources. Connection. Voice.

The Office of the Provincial Advocate for Children & Youth works with young people in care, and at the margins of care, day in and day out. More and more we see young people require three essential elements in order to be successful. They need resources, connection and voice. In the simplest terms, the Office supports young people to develop and secure each of these elements.

Throughout this report, we relate compelling stories of the challenges, journeys and successes young people experience as they secure what they need to survive and thrive. The following icons are used with those stories to highlight the critical element that young person needed, and secured, with the support of our Office.

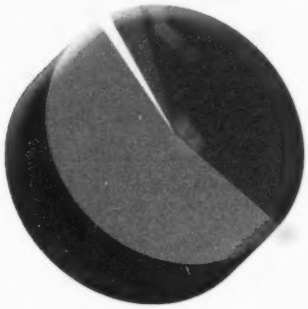
RESOURCES – The practical things many Ontarians take for granted: safe shelter, nutritious food, access to education, health care and employment opportunities.

CONNECTION – Stable, positive relationships that help young people create and maintain ties to others.

VOICE – A strong voice that young people can use to ask for and better use the resources and connections they need.

A worried family member called about a young person. He was in a treatment centre and was expressing hopelessness and signs of depression. He faced a number of challenges and diagnoses. An Advocate advised the family member to have him call the Office, which he did. He requested a meeting as he felt he could not express himself on the phone. An Advocate went to meet with him, and they developed an action plan to meet his need to return to family or live closer to family. The young person had previously refused to be present at his placement reviews, but began to attend with an Advocate present. Historically, he had difficulty expressing himself except in an angry, hostile, and abusive way because he felt invisible and powerless. He had done exceptionally well at his treatment centre. However, the centre was unable to place him closer to home. While extremely unhappy with his placement he made an effort to gain from it. He requested more home visits which were approved. He willingly attended his plan of care, participated fully, and in positive ways. He started using the phone when communicating with the Advocate's Office. When his family agreed that they were ready to have him home, he requested a meeting to discuss it. During the meeting, he not only participated, but led the discussion and articulated clearly what he wanted. He had become his own self-assured advocate because he had had the experience of being heard and his opinions taken seriously.

Cases by Gender

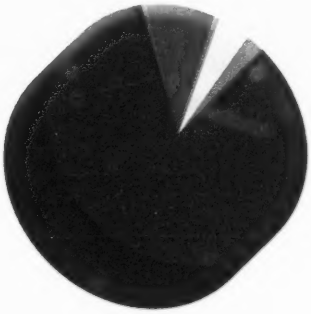


%	GENDER
39.48	Females
54.77	Males
	Unknown
4.03	Not identified at contact

Cases by Age Group

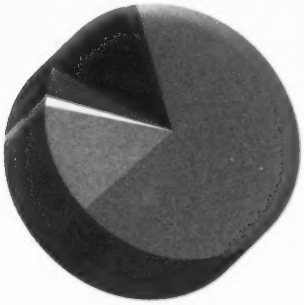
%	AGE GROUP (in years)
4.07	00-06
7.95	07-11
34.40	12-15
	16-17
8.72	18-19
2.64	20+
5.76	Other

Cases by Provincial Ministry



%	MINISTRY
0.72	Out of Province
8.72	Other
0.38	Ministry of Health
	Ministry of Education
2.20	Ministry of Community Safety and Correctional Services
0.43	Ministry of Community and Social Services
82.7	Ministry of Children and Youth Services
0.87	Ministry of Attorney General

Cases by Referral Source



%	REFERRAL SOURCE
65.31	Client/self
13.76	Parent
	Foster parent
0.24	Guardian
0.38	Sibling
3.83	Extended family
12.55	Professional
2.88	Other

Systemic Advocacy

Mental Health

Over the past few years, the issue of mental health and wellness has been in the spotlight across the country. In August 2010, Ontario's Select Committee on Mental Health and Addictions (established by the Provincial Legislature) released a report entitled, "*Navigating the Journey to Wellness: The Comprehensive Mental Health and Addictions Plan for Ontarians*". The Minister's Advisory Group on Mental Health and Addictions (composed of consumers, family members, health care providers and researchers) released, "*Respect, Recovery, Resilience: Recommendations for Ontario's Mental Health and Addictions Strategy*" in December of the same year. The Office of the Provincial Advocate also released the "*Statement on Children and Youth Mental Health in Ontario Report*" in 2011.

More recently, the Ontario government announced that a significant amount of new funding will be directed towards children's mental health services over the next three years. We look forward to hearing more about how this funding will be directed to meet the needs of young people.

The Community Snapshot Project by the Advocate's Office introduced the voices of young people into the on-going dialogue on addictions and mental health. During November and December 2011, diverse groups of youth from one Ontario community met with Advocates to talk about mental health and mental health services. The consultations included a community mapping exercise to identify services that exist in the community and services the young people would like to see provided in the future. The completed map is a tool that can be used as part of formal or informal community planning processes and as a beginning step to inject a youth perspective into policy, funding and service planning discussions.

Child Welfare

"Giving youth a voice means not only granting them opportunities to speak but, more importantly, making sure that they are being listened to and truly heard. This type of listening requires service providers, caregivers and policy makers to be engaged with the children they serve and to be open to learning from them."

– PROVINCIAL ADVOCATE

LEGISLATIVE SPOTLIGHT ON YOUTH LEAVING CARE

In November 2011, the Ontario Legislature hosted two days of youth-led hearings - a first in Canadian history. Young people worked with the Advocate's Office to organize their own legislative hearings, calling witnesses and reviewing public policy issues regarding what happens to youth after they leave the provincial care system, a subject of great concern to the Office of the Provincial Advocate for Children and Youth. The Hearings were the product of months of careful planning by a youth-led team supported by the Advocate's Office. This team, which eventually numbered more than 30 youth, worked with the Office and oversaw and planned all aspects of what they called, "Our Voice Our Turn the Youth Leaving Care Hearings". The Hearings brought the voice and perspective of young people to bear on the issue of how to achieve better outcomes for children who are parented by the Province.

The Province of Ontario is the legal guardian of between 8,000 – 10,000 young people (Crown Wards) at any given time. They live in foster homes, group homes, transitional housing programs or other settings. At 18, whether they are ready or not, these youth are often put in the position of having to live independently. Some receive a small stipend to support themselves until the age of 21, but after that point they are left to fend for themselves.

Research reveals that when Crown Wards transition from care, they do not do as well as other young adults. They are less likely to receive a high school diploma, pursue higher education or earn a living wage and are more likely to experience economic hardships, become homeless, struggle with mental health challenges and become involved with the criminal justice system.

It is not surprising that after leaving the care of the province many young people do not fare well. Some find ways to get through—they are able to deal with the difficult pasts that brought them into care, they find ways to get through and even do well in care, and some achieve the success we would want for every child. But more often, they don't. Those that do succeed, tell the Office how they look on the outside is not how they feel on the inside. All of them demonstrate incredible determination and pure guts. They are all, in many ways, everyday heroes.

"Now at age 17, I will be leaving care but not my foster family. Most others do not get this chance. They get cut off too fast with virtually no support except for some financial boosts. The reason is that the homes the others stay in are temporary placements. They are not expected to stay after 18. This is wrong. Those young adults leaving care is when they need support the most, both financially and emotionally."

— FIRST NATIONS YOUTH

"What parent says to their kids, you are on your own now. Don't come back. Don't call. You have whatever you can carry to take with you and your empty bank account. Good bye and good luck."

— 21 YEAR OLD FORMER YOUTH IN CARE

These are some of the difficulties young people spoke about at the Youth Leaving Care Hearings. With the support of the Provincial Advocate for Children and Youth, they looked to other young people and a range of professionals for new ideas on how the Province can be a better parent.

In the period leading up to the Hearings, the youth organizing team received more than 150 submissions. These ranged from individual accounts of life in the care system and suggestions about how to improve it, to artwork, poems, videos and other performance pieces. Organizations from across the care system and a range of service sectors also contributed their ideas and suggestions. From these submissions, approximately 40 individuals and groups were asked to present to panels of youth in and from care at the Hearings.

"I came into care with the Children's Aid Society when I was 15 years old. I had a positive experience, but my foster mom was going to move to a condo downtown, which was going to be too small for me to be with them. So I started the process of finding a place on my own. I had to ask a friend, because the market rent for a room at that point was $546 a month. If I wanted a one-bedroom apartment, it was between $600 to $1,000. The other issue I confronted was, I was too young. I was 17 years old and landlords asked for references. As I had lived with my foster parents before, I had no references from other housing. I have a diploma in travel and tourism, and I'm going back to school for American Sign Language. I've been successful because I had a home to go to. Youth in general are affected by a number of problems, but if they have a warm, safe home to go to it makes a difference".

Hundreds of young people and adults came to the Ontario Legislature on both days. The youth panels heard practical suggestions and personal stories of challenge, heartbreak, resiliency and success.

Front-page stories in Toronto newspapers and on evening newscasts profiled the historic nature of the hearings. An editorial in the Toronto Star argued: "...no member of Ontario's new elected Legislature should miss the opportunity to listen, really listen, to the remarkable insights on offer."

Following the Hearings, youth organizers plan to prepare a report and video to summarize the recommendations. In the spring of 2012, these recommendations will be presented to the Legislative Assembly of Ontario and distributed to those with the power to create positive change in the child welfare system.

The Advocate's Office was proud to partner with young people in this exemplary display of children and youth rights advocacy. We look forward to receiving and promoting the final report from the youth organizers.

"Support us and watch what we can do."

— 17 YEAR OLD YOUTH —IN CARE

YOUTH LEAVING CARE: A SNAPSHOT *

- Ontario is the legal guardian of approximately 8,300 children and youth connected to the provincial care system. (as of November, 2011)
- Approximately 2,770 youth (16.5%) are living independently. Some are as young as 16. By contrast, the average Canadian young person leaves home in their mid-20s.
- Forty-four per cent of youth in care graduate from high school, compared to an 81% graduation rate for the general population.
- Forty-three per cent of homeless youth have previous child welfare involvement; 68% were in foster homes, group homes and/or a youth centre.
- Up to 71% of homeless youth have previous criminal justice involvement.
- Street youth identify their living arrangements as "unsafe" about 20% of the time.
- Eighty-two per cent of children in care have diagnosed special needs
- In the province of Ontario, Aboriginal people represent 2% of the population, but 22% of Crown Wards.

*Sources: *Agenda for Youth Pre-Budget Consultation in Ontario Association of Children's Aid Societies (2011); Homelessness in Canada: The Road to Solutions, Raising the Roof (2009),* Office of the Provincial Advocate for Children and Youth

"Many of these youth have seen and experienced things in their short lives that would break other people. Many of the solutions they proposed seemed, to my ears at least, infinitely logical and simple: some life skills training and some financial literacy before cutting them off. What kind of parent wouldn't do that? It's time to pay attention to this issue, Ontario."

– TV Ontario

VIEWING THE WORK OF MINISTRIES THROUGH A CHILD AND YOUTH WELFARE LENS

Throughout 2011, the Provincial Advocate met with over 500 young people in shelters, group homes, custody facilities and other settings to learn directly about the challenges they faced when leaving care. The meetings have galvanized the need to present the issues and views ultimately brought forward by young people at their historic Youth Leaving Care Hearings at the Legislature.

At the same time, the many challenges youth face when aging-out of provincial care also informed a broad, systematic advocacy effort by young people and the Office across the many Ministries that touch their lives. This effort, which involved many meetings and youth presentations to deputy ministers and senior civil servants, culminated in a successful submission to the Council of Deputy Ministers.

It is the view of the Advocate's Office that Crown Wards are truly the children of the Province. Furthermore, the obligation to parent these children does not rest with one Ministry but the entire government. Each Ministry has a role to play in parenting 'these' children by increasing their access to practical resources, by facilitating connections between youth and supportive adults, and by ensuring they are afforded access to opportunities to participate in their communities.

Staff of the Advocate's Office would like to see the day when at every Cabinet Meeting or gathering of Public Servants, Crown Wards are top of mind. Like any parent, Ministers or bureaucrats would then ask themselves, "how does this decision I am making affect my children – Crown Wards?"

Towards this vision, there are steps that can be taken in each Ministry that would be of little burden to the public purse. Steps that would see current initiatives and programs include a decision-making lens or principle to assess how the decision would be of benefit to Crown Wards. Policies and regulations that could be considered or created using this 'child welfare lens', might make an enormous difference in the life of a child in care.

A successful application of this suggested principle in 2011 was the decision by the Ministry of Health and Long-Term Care to implement a protocol in the Health Care Connect Program that will provide a high priority referral for self-identifying Crown Wards and former Crown Wards who wish to to access family doctors. Similarly, the Ministry of Government Services gives priority to Crown Wards and former Crown Wards who wish to participate in the Ontario Public Service internship and Summer Student program.

As one young person said of this approach, "It's not rocket science." Rather, it can and must be done across every Ministry in government to provide a much needed boost to the province's own children.

"I'm a graduate of the child welfare system. When I moved out of my foster home at 18 years old, I had nowhere to go. I had no credit and no one to sign a lease agreement or to be my co-signer, so I was left at a real disadvantage. I wanted to finish high school and get my diploma, but trying to find housing that was affordable and paying other living expenses out of the small stipend that is given to youth in care makes for a very stressful life. Over the years, I've lived in some pretty bad situations. Lack of safe and affordable housing stops us from advancing in life. The government needs to put youth in care forward as a priority in social housing so that we can get affordable housing when we turn 18 years old. Youth in care face many barriers because they come from dysfunctional families that don't provide any support when they leave the care system."

—FORMER YOUTH IN CARE

ADVOCATING FOR THE RIGHT TO FAMILY AND CONNECTION

In May of 2011, The Office made a submission to the Standing Committee on Social Policy related to *Bill 179, The Building Families and Supporting Youth To Be Successful Act, 2011*. The Advocate's Office's submission was preceded, as is often the case, by testimony from three young people (supported by Office staff) in the province's care who advocated for changes to the proposed amendments.

Young people successfully called upon the government to bring back important provisions that had been dropped from the *Act* which, among other things, governed whether youth who had left care before 18 could return to care.

The *Act*, passed in June 2011, removes barriers so that more young people in the care of Children's Aid Societies (CAS's) can be adopted. To help with the transition to adulthood, the *Act* also allows older youth whose care was terminated at ages 16 or 17 to return to their CAS's and receive financial and other supports until the age of 21.

The result is that more of the province's children and youth in care will be eligible for adoption and the family connections vital for their success. It means youth returning to care will be eligible for necessary financial and non-financial support until age 21. The continued support will help these young people achieve better educational outcomes and become successful adults. The Office played a significant role in refining the amendments to better serve young people in the province's care, a role that was highlighted by the Minister responsible.

While *Bill 179* sets the stage for building permanent families for some of the province's children, it is crucial to recognize adoption is not the only way to provide permanency and it will not work for all.

The concept of family is complicated for young people in care. Despite the system's best efforts, children and youth continue to move from worker to worker. They move from placement to placement. With each move, they may change schools, groups of friends, and certainly, families. This is hardly a system designed to encourage the establishment of long term, permanent connections.

Young people have told Office staff that, "You can choose your friends and you can choose your family". The concept of family includes, for many young people, friends, social workers, foster parents, teachers, employers, aunts, uncles, brothers, and sisters. They understand, 'family', as a socially constructed concept, which allows them to create and choose a definition that works for them. With this understanding, supporting the creation of family, as young people view family, is a crucial part of the service system Ontario offers children and youth.

ADVOCATING FOR AFFORDABLE HOUSING

In 2011, the Office, along with three young people connected to the province's care system, made submissions before the legislative committee hearing recommendations to the *Strong Communities through Affordable Housing Act, 2011*. The *Act* made a number of changes to the previous legislation governing social housing in Ontario.

Supported by the Office, the youth testified to their experience and called for specific changes to help youth in, or recently connected to, the province's care system who are disadvantaged when accessing social housing, either by age, accounting rules, or having moved too many times while in care.

The Provincial Advocate, in his submission, urged the government to recognize its parental obligations to young people in its care and make changes to legislation. A number of specific recommendations were made that would remove barriers to youth seeking affordable housing; for example, make Crown Wards a priority group, and do not count scholarships – or the financial support received by youth between the ages of 18-21 from the Ministry of Children and Youth Services – as income.

The recommendations were brought forward in the House, and while not ultimately included in the *Act*, elevated the voice of young people on this issue and broadened awareness of their plight. It also led to further meetings on the subject with social housing administrators at the municipal level.

EMPOWERING YOUNG PEOPLE TO MAKE OR CONTRIBUTE TO DECISIONS ABOUT THEIR BODIES AND HEALTH

In 2011, the Office undertook to understand the legal and social context of consent and capacity issues for young people in care when it comes to decisions about their own health care or treatment options.

The Office is excited to continue moving forward on this important initiative on the rights of young people in care to make or inform decisions about their bodies and health. The initiative will now partner with young people to create an interactive, public education campaign that will build the knowledge and capacity of young people in care to assert their health rights and ensure the care systems are able to support young people in exercising their rights.

A Resource Guide will be developed to help service providers support young people in their decision making. The Office will continue to monitor and respond to issues in the care systems that prevent young people from exercising and advancing their health rights.

The Advocate's Office provides a bridge between the larger system and the voice of youth. This commitment to include and listen to young people is extremely relevant.

So we all, as a people, can make change.

Provincial and Demonstration Schools

Throughout 2011, the Advocate's Office continued working to understand and respond to the unique challenges and complexities faced by young people in Ontario's Provincial and Demonstration schools.

Under the *Education Act*, the Ministry of Education is responsible for Ontario's Provincial and Demonstration Schools for the Deaf, hard of hearing, blind, deaf-blind and/or students with severe learning disabilities. There are currently eight schools across Ontario providing educational services to this group of children and youth, the majority of whom live in residence during the school week.

Given many of these youth have limited literacy and communication skills, it is difficult for them to express their concerns via email, TTY, telephone or by relying on third parties.

In 2011, the Advocate's Office continued with its planned monthly visits to the Provincial schools for the Deaf and Demonstration schools to learn from students how to help them overcome the barriers they experienced in accessing the services and resources.

A number of students affirmed they are more comfortable meeting in person instead of calling or emailing to request support. Meeting in person provides them with a sense of security and the ability to freely communicate their concerns in their first language.

At one school, Centre Jules Leger, the students requested a meeting with the Advocate's Office due to a number of issues they had been trying to resolve for quite some time. The students and parents had become so concerned that the students had gone 'on strike'.

The Office worked closely with the students to formulate their concerns, and brought them forward to the Ministry of Education. In response, the Ministry of Education conducted a review of the school and created an action plan. To the Ministry's credit, the action plan has been well received by the students. The Office received a thank you letter from these students outlining the improvements that have been made at the school.

The Advocate's Office built on the success of these visits in 2011 by developing a broader youth engagement strategy for students in these schools.

"When we involve youth in decisions that affect them, their life experience is validated, their decision-making skills are honed, their self confidence is fostered and their sense of hope is often restored. Conversely, taking choices out of young people's hands is demoralizing—not only for the children, but for those delivering services as well"

– PROVINCIAL ADVOCATE

04/11/09

Young People with Special Needs

The systemic barriers associated with caring for a child with physical and/or developmental disabilities are daunting. The Advocate's Office received and responded to a number of calls in 2011 from families caring for children with significant developmental and physical needs, seeking assistance in an environment where resources and services are over-extended and waitlists often leave them without desperately needed resources or funding.

Many of these families' situations are made worse because services to children with special needs in Ontario are provided through a patch-work of loosely connected agencies and direct funding tied to particular diagnoses. Their situation is further complicated when a child requires services from more than one area of the children's service system, a child who has multiple or complex needs (i.e., mental health needs and also a developmental disability).

The whole needs of the child are often not considered in a single, integrated manner. In some instances, being involved with one service may even deny the child access to needed secondary services. These systemic barriers are not in the best interests of the child or the families struggling to help their children.

Recognizing this, in 2011, the Advocate's Office completed a map of the 'special needs' services and funding provided by all levels of provincial government and across provincial ministries, to help provide a route map and identify the potential road blocks families may experience.

The Advocate's Office brought together child welfare representatives with senior members of the Ministry of Community and Social Services to address problems that young people with special needs have when they turn 18 and 'age-out' of the children's system and begin seeking adult services. A child welfare Ministry working group was established from this meeting.

On another front, the Advocate's Office continues to encourage the creation of a system of independent advocacy for students with special needs in Ontario's publicly funded schools. The Advocate's Office is working with education advocates from across the province in the development of an advocacy strategy that would lead to a system of education advocacy for the Province.

'Nancy', 19, had been placed in a specialized treatment foster home that provided care for her longer than is usually the case because of the nature of her needs. Her resource needs were significant and she was viewed as being unable to live on her own. When she turned 20, however, she was told she would have to find housing for herself. She eventually found a room to rent but within a week the landlord had brought her back to the foster home saying she was not ready to live on her own. Through the intervention of the Advocate's Office, the agency designated to provide direct support to transition-aged youth reversed their decision, and agreed to provide the services 'Nancy' needed.

'Clara' is a four year-old girl with complex medical needs and disabilities. Her mother contacted the Advocate's Office because her daughter was being discharged from hospital without sufficient nursing support at home. The parents were very concerned about their ability to properly care for their medically fragile daughter as they were exhausted and overwhelmed with the level of constant 24-hour daily care. An Advocate from the Office worked with the parents, the case manager, community supports and the hospital's Complex Special Needs Team to coordinate appropriate levels of nursing, personal support worker, and other care, along with short term respite options. As a result of this coordinated care, 'Clara' has been able to spend more time at home and have far fewer hospital admissions.

Youth Justice

The Advocate's Office is directed by *The Provincial Advocate for Children and Youth Act, 2007* to provide an independent voice for the children and youth in its mandate, including young people in conflict with the law. Staff of the Advocate's Office believe young people in the youth justice system are first and foremost young people with hopes and dreams. As with children in the care of child welfare, time and resources must be invested to ensure youth in the justice system receive the care and follow up support they need to return and be able to contribute to their communities.

REVISITING PROGRESS AT ROY MCMURTRY YOUTH CENTRE

In March 2010, the Ministry of Children and Youth Services released, "*Action Plan, Helping Youth Realize Their Potential at RMYC*" in response to an earlier report from the Advocate's Office that reflected serious concerns of youth held at the 190-bed Roy McMurtry Youth Centre in Brampton.

Office staff believe the 'Relationship Custody' philosophy practiced at the Centre has tremendous merit. Relationship Custody is rooted in fostering connections with youth so that they acquire skills and experiences that position them for life-long success. That is why it remains important for the Office to be involved with the Centre; to help it and the Ministry achieve the promise of this new model of care for youth in custody.

Honouring its commitment, Office staff conducted a formal review of the McMurtry Youth Centre in 2011 that focused on the implementation of the Relationship Custody framework, the Ministry's Action Plan items, and revisited the concerns identified in the Office's initial report, to gauge how much progress has been achieved.

Office staff brought a group of young people together who had lived experience with the youth justice system. They were presented with the scope of the review and informed of the complaints that were highlighted in the Office's initial findings. These youth gave the Office their perspectives on the issues at the Centre and made recommendations regarding what questions to ask and how best to ask them.

The review consisted of interviewing and listening to young people in custody at the Centre. Their verbatim responses form the substance of the Office's forthcoming report which will be presented to the Ministry and highlight changes that can improve the lives of young people incarcerated in secure detention and secure custody facilities in Ontario.

> "Young people need to be valued for the views that they have and the opinions they have formed. If they feel that they are invisible, they may take drastic measures to be seen, whether they hurt themselves, someone else, or get into trouble with the law. They will do whatever it takes to not be invisible."
>
> —*YOUTH IN CARE*

SCRUTINIZING SECURE ISOLATION

The Provincial Advocate's decision in 2011 to conduct a review of the practice of 'secure isolation' in youth justice facilities in Ontario was based on complaints received from young people in facilities over the last few years.

The Office seeks a better understanding of how secure isolation is used in Ontario and will make recommendations based on its findings. Young people who have first hand experience of secure isolation were interviewed for the review and their feedback will be presented in the final report.

As a result of the review, it is hoped youth justice officials will look for better strategies, reduce the number of times secure isolation is used, the length of time it is used and improve the conditions of spaces where young people are isolated. It is also an opportunity for the public to gain an understanding of the conditions of secure isolation in youth justice.

> Picture waking up every morning in the care of the Province of Ontario, knowing that your well being depended on the understanding of people who could never understand. Whether you are living in a high security prison or a custody group home, being a youth in care is a stressful and very unordinary lifestyle. You are put in a box. A box that doesn't celebrate your individuality or embrace your culture. If these are really 'correctional facilities' would one not expect to come out with more of an understanding of themselves or at least a person who realizes the error in their way?"
>
> *—YOUTH IN CARE*

THE ROAD BACK TO COMMUNITY

When young people with mental health needs are charged with criminal offences, they may subsequently be found by a court to be "unfit to stand trial" or "not criminally responsible". These cases are then transferred to an independent tribunal known as the Ontario Review Board ("ORB"). The ORB annually reviews the status of every person within its jurisdiction and makes orders known as "dispositions". Dispositions can include an absolute discharge, discharge to the community with conditions, or detention in a hospital with conditions.

The Advocate's Office is examining a selection of ORB cases in which a young person has been detained in a hospital setting in order to gain a better understanding of the roadblocks that prevent young persons who are deemed ready to leave institutional care from being able to do so. Often these young people have met their treatment goals but the community is not willing or able (due to a lack of appropriate services) to accept them back. These young people can sometimes become "stuck" in institutional care until they are eventually transferred to adult institutions.

These young people are being asked by staff of the Advocate's Office to share their experiences to see if there are any patterns or common issues in their experiences. The Office will report on its findings to the Ministry in early 2012.

THE 'NEW' BROOKSIDE YOUTH CENTRE

In the summer of 2009, the Advocate's Office conducted a review of the Brookside Youth Centre in Cobourg after a number of serious complaints were reported by young people in care at the Centre. The ensuing report, shared with Brookside and the Ministry of Children and Youth Services, documented a number of serious concerns. The Ministry then did its own operational review. As a result, a number of recommendations were implemented to improve the quality of care.

A young man, 17, residing in a justice facility wanted to be able to shave as part of wanting to look and feel more presentable in advance of a court appearance. He was denied the right to shave because he wasn't at the privilege level at which shaving was permitted. After the young man contacted the Office, an Advocate was able to negotiate with the manager of the facility to allow the young person to shave.

In 2011, The Office of the Provincial Advocate for Children and Youth followed up the review by meeting with youth at the Centre, and soliciting their input on a number of themes that emerged during the initial review. The Centre 's Administration and the Ministry's Regional Office co-operated with the Advocate's Office and were open to addressing any new concerns and to learning how their implemented changes had been received by the youth in care.

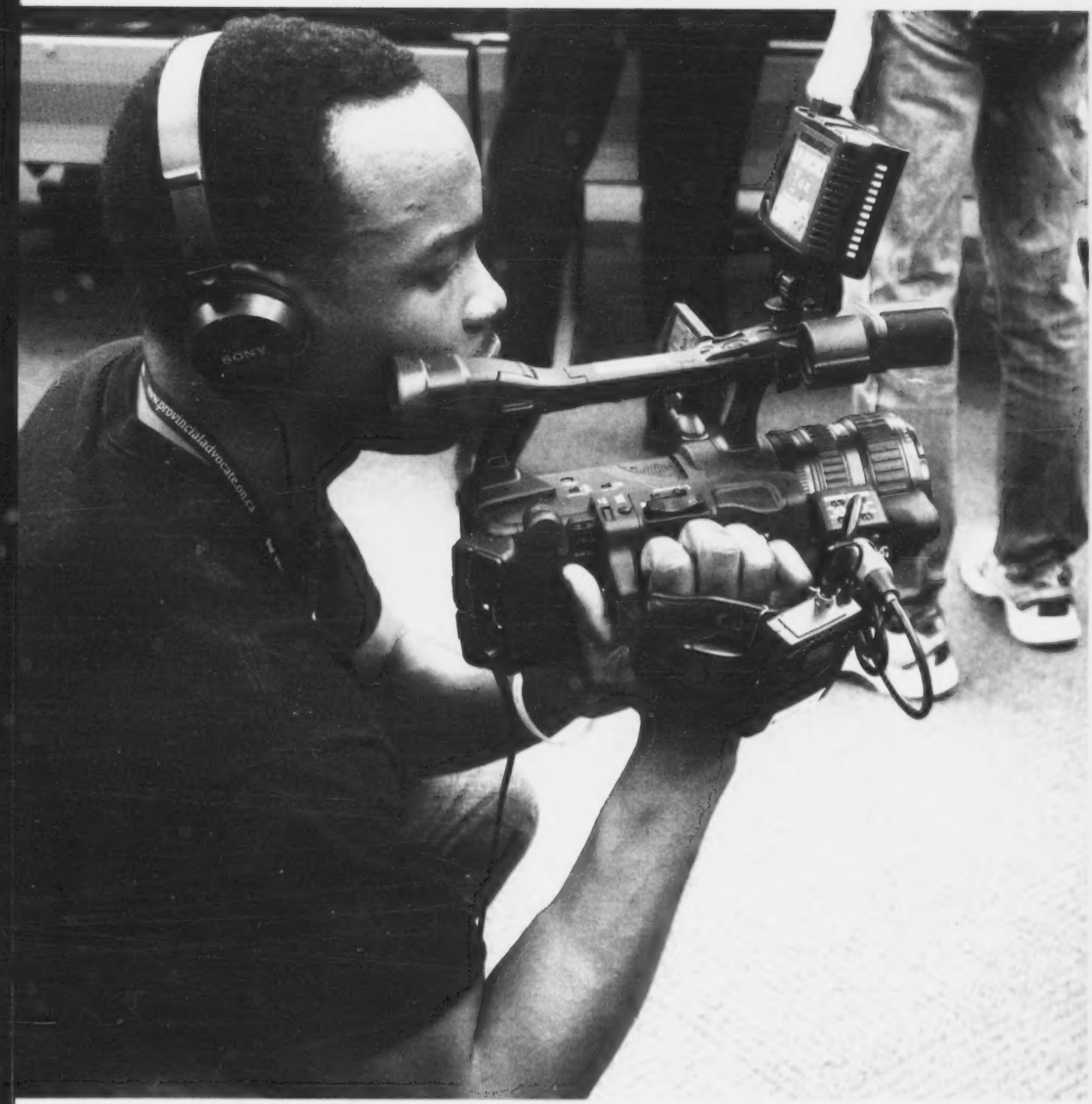
The Advocate's Office is pleased that most of the concerns identified by the young people during the review have been effectively addressed. As a result, some youth now refer to the facility as 'the New Brookside'. In addition, most individual concerns that have been brought forward since have been dealt with by the Centre's administration in a fair and timely manner and resolved to the young person's satisfaction.

ALTERING THE DISCOURSE AROUND YOUTH JUSTICE

In June 2010, the Office made a submission to the House of Commons Standing Committee on Justice and Human Rights regarding *Bill C-4, An Act to Amend the Youth Criminal Justice Act*. The submission, argued that amendments proposed by the Bill would have serious negative impacts on the rehabilitation and reintegration of youth in conflict with the law.

In March 2011, the Office joined with provincial child and youth advocates across Canada in making a submission to the House of Commons Standing Committee on Justice and Human Rights regarding *Bill C-4*, An *Act to Amend the Youth Criminal Justice Act*. The submission argued that amendments proposed in the Bill would have a negative impact on outcomes for youth in conflict with the law. It offered seven recommendations, among them that the Federal government facilitate a national multi-jurisdictional strategy to respond to the needs of young people with mental health or behavioural and developmental needs to prevent them from becoming mired in a justice system that is ill-equipped to meet their needs. We also recommend that the Federal government ensure any future proposed changes to the Canadian youth criminal justice system comply with the provisions and the spirit of the *United Nations Convention on the Rights of the Child*.

Bill C-4 has moved forward and is now before parliament as *Bill C-10*; the omnibus justice legislation that combines nine former bills that seek to deal with crime in Canada into one bill. Eight of the nine bills address adult offenders while one bill proposes amendments for youth in conflict with the law. The Advocate's Office remains deeply concerned about *Bill C-10* in the same manner that we had concerns with its predecessor *Bill C-4*. We have asked the Ministry of the the Attorney General about their opinion regarding the changes to the *Youth Criminal Justice Act* being contemplated. Additionally, we continue to work with the Canadian Council of Provincial Child and Youth Advocates to make our concerns known to the Senate Committee examining the *Bill* in 2012.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Community Development

CRANKING UP THE VOLUME

Central to the Office's work developing the ability of diverse communities to hear the voices of children and youth, and to advocate on their behalf, is the work of a small team of committed young people who call themselves "The Amplifiers". The Amplifiers are an integral part of the Office's Community Development Team.

In 2011, these passionate young people reached out to a variety of groups to inspire and engage. The Amplifiers facilitated discussions with First Nations young people in Toronto and Thunder Bay about the services and resources in remote and fly-in communities. They attended the annual conference of the Ontario Coalition of Agencies Serving Immigrants, as part of the Office's delegation. A member of the Amplifiers was part of a group of young people who worked with La Passerelle, a French-language newcomer service provider to create a health information video for newcomer youth.

This year the Amplifiers began work on the second edition of *The Amplifier* a magazine for young people focused on advocacy, child rights and the work of the Office. The 2nd edition of the magazine will be launched in 2012.

Supporting young people in their advocacy efforts and participation in discussions about service gaps and needs that will lead to change and improvement in their circumstances is a core activity of the Office.

"Inspired by our travels and experiences, we came up with the idea that we wanted to share the concerns, hopes and triumphs of youth. That is how the Amplifiers magazine has seen the light of day. Our last words to all: 'speak up for your rights!' "

—THE AMPLIFIERS

RAISING AWARENESS OF CHILD RIGHTS

In 2011, the Office worked with Humber College to develop and pilot a workshop on Child Rights for the Child and Youth Counsellor Program. The aim of the workshop sessions was to contribute to the training of front line workers and provide them with the knowledge and information they will need to develop a rights-based culture in the facilities and services in which they will eventually work. The pilot has the potential to alter the way the rights of children are positioned in the delivery of service settings at the community level.

As a result of the initial success of this project, the Office is partnering with Ontario's colleges through the Child and Youth Worker programs offered across the province, to develop advocacy and rights education course materials that will be used in the 2012/2013 academic year.

This is an exciting and welcome partnership, that will elevate awareness of the rights of children in care and improve the ability of service professionals in the child care system to act as natural advocates for young people.

In addition to this important project, the Office's Community Development team provided rights awareness educational sessions to the School of Social Work at the University of Toronto, School of Disability Studies at Ryerson and the Ontario Association of Child and Youth Workers, among others.

OUR STORIES, OUR PRIDE

> " It made me feel so good about being me"
>
> *—OUR STORIES, OUR PRIDE PARTICIPANT*

In June 2011, the Office of The Provincial Advocate for Children and Youth sponsored an event to celebrate Pride Week and helped raise the voices of lesbian, gay, bisexual, transgender and transsexual (LGBTT) youth in our mandate.

The event, dubbed "Our Stories, Our Pride," featured performance, music and a powerful discussion with panellists who identified as LGBTT and had personal experience with the child welfare system, group home life, the children's mental health system, children's treatment centres and youth custody facilities. Young people spoke eloquently about their experience of coming out, forming a positive self-identity, finding allies and surviving adolescence within these challenging environments.

Hosted by Ellen Hibbard and Jenny Blaser of Ontario Rainbow Alliance of the Deaf, the evening featured youth performance, art, panellists, and inspirational song and laughter. On hand for the celebration, the Provincial Advocate reinforced the Office's support for and commitment to marginalized LGBTT youth in care, and welcomed their insights and ongoing collaboration.

The experience, said one young person, "made me feel so good about being me". Youth and adults worked together to organize the evening with youth in primary leadership roles such as programming, performing and décor. An event with broader educational and public impact is already being planned by youth for 2012.

If only I had known/ I would have saved a night out on the streets/ After all, shelters are for me/ I would have left the abuse/ Before these scars left a mark on me/Not knowing my rights is not an option anymore/ Someone's got to educate me/ I am a child who has rights/ So it will definitely start with me

—FROM THE POEM "IT ALL STARTS WITH ME"

IT TAKES A VILLAGE

The annual Black History Month celebration hosted at the Advocate's Office is a time to share, recognize and bring awareness about the experiences of Black youth in the mandated areas of our work. In 2011, the Office worked with a group of young people with the Peel Children's Aid Society called 'The Village' to share their experiences of being Black youth living in care. The Village is a group that dedicates itself solely to Black youth who are in state care and living in Peel region.

Young people from across the Greater Toronto Area gathered to share their thoughts, opinions and experiences with the Children's Aid Society. The discussion explored cultural differences in various foster homes, identity struggles, racism and the feeling of being disregarded. In the end, the discussion informed the Office's work with and for black youth across Ontario.

The event hosts, directors of 'The Village', facilitated and took notes from the discussion and suggested creating recommendations to submit to Government about the experience of Black youth in care. The celebration ended by honouring ancestors and featured a performance from the dance group Ngoma that illustrated the complexities of African dance and the power of the African drum.

POLICING AND YOUTH IN CARE

In 2011, the successful partnership between the For Youth Initiative (FYI) and the Advocate's Office gave rise to the Policing and Youth Dialogue project.

To honour the work done by previous groups of young people, the project began with a review of written recommendations on policing from agencies or groups working with young people.

As planned, over the course of the year the project heard from young people invited to share their experiences and thoughts about how police interact with young people connected to the province's care system. The monthly meetings explored the role of policing in the lives of young people from an individual, community and provincial perspective. The project team is in the process of completing a draft report that summarizes this intial phase of consultation.

I am a drop in the water/ I am a plant forgotten in the desert/I am more angry than hurt/ I am a lost soul behind the shutter/

I am the silence of long nights in the dark/I am a butterfly trying to shine in the sky/I am a mislaid bird in a parc/I am eating humble pie

— "I AM"

CENTRETOWN U.C.
SUPPORTS
SHANNENS DREAM.CA
FOR EQUAL EDUCATION
FOR FIRST NATIONS

First Nations

Compared to other young people in Ontario, First Nations children and youth are disproportionately represented in the youth justice and child welfare systems. They experience poverty in greater numbers and face higher rates of malnutrition, disability, drug and alcohol abuse and suicide.

As an independent advocate for children and youth, the Office stands with the province's First Nations young people in their efforts to effect change in their communities and reverse these inequities.

Throughout 2011, the Office met with many First Nations young people and elders from across northern Ontario. The purpose of the discussions was to learn directly from young people their concerns about the services, supports and resources available to them in their isolated, remote, and fly-in communities.

These outreach efforts included discussions with Chiefs and Councils in Sandy Lake, Pikangikum, Poplar Hill, Kitchenumi Inniwug, Kashechewan and White Dog, as well as groups and agencies providing service to First Nations in Sioux Lookout, Thunder Bay, Kenora, Fort Frances and London.

The Advocate's Office is committed to connecting directly with young people, their leadership, and elders to amplify the voices of First Nations youth and support their advocacy. We believe these articulate and passionate young people have an important role to play in working with their communities to find solutions for a wide range of issues that young people have identified as problematic.

In addition to this ongoing dialogue, Office staff made presentations to the Ministry of Aboriginal Affairs, Ontario Public Service Forum, Weechi-it-te-win Child Welfare Conference, Nishnawbe-Aski-Nation Economic Summit, and the Kenora Children's Mental Health Services Conference.

> "Poor housing quality, low medical, inadequate education, drug and alcohol abuse, high suicide rates and growing up in a northern isolated community in these conditions makes it difficult to have a positive, healthy lifestyle. If children are our future, then what is being done to invest in the future leaders of Ontario's First Nations communities?
>
> *—FIRST NATIONS YOUTH*

"They shut the school down a lot when it gets too cold. The wind blows under the doors and you're cold all the time. You end up staying at home and not going because you're just going to freeze anyway"

—FIRST NATIONS YOUTH

AMPLIFYING THE CALL TO REINSTATE HUMAN RIGHTS TRIBUNAL HEARINGS ON BEHALF OF FIRST NATIONS CHILDREN

The Office has continued to support the work of the First Nations Child and Family Caring Society of Canada (the Caring Society) as it relates to its 2007 complaint before the Canadian Human Rights Commission. The focus of the complaint is that Canada is racially discriminating against First Nations children because it provides less funding for child welfare services on reserves than for non First Nations youth. In 2011, the Human Rights Tribunal dismissed the child welfare case. Since that time the Caring Society has undertaken efforts to seek a judicial review of the Tribunal's decision.

Our support for the Caring Society's complaint is rooted in the Office's mandate to be a voice for children and youth, including First Nations youth, on issues affecting them. The subject of the Tribunal process has a direct impact on the needs of the First Nations children the Office is mandated to serve and, as such, we will continue to advocate for issues that impact their lives on a day to day basis and the issues that have the potential to leverage lasting change.

First Nations children, their families and those who serve them can no longer wait to have their case heard by the people of Canada. The Office of the Provincial Advocate for Children and Youth calls upon the Human Rights Commission of Canada to immediately reinstate the hearings and move forward with the fair process established for giving legitimate voice to First Nation children in Canada.

YOUTH SUICIDES IN PIKANGIKUM

In 2010, The Office of the Provincial Advocate for Children and Youth was asked by Ontario's Chief Coroner to contribute to his review of the 19 youth suicides at the Pikangikum First Nation between 2006 – 2008, and their catastrophic impact on the community and First Nations in the province. The Chief Coroner believed a submission from The Office of the Provincial Advocate would link the views and voices of First Nations youth to a review of the issues affecting their lives. The Office agreed on the condition its independence would not be impeded, and the views and voices of First Nations youth would be given equitable treatment in the review of these tragic deaths.

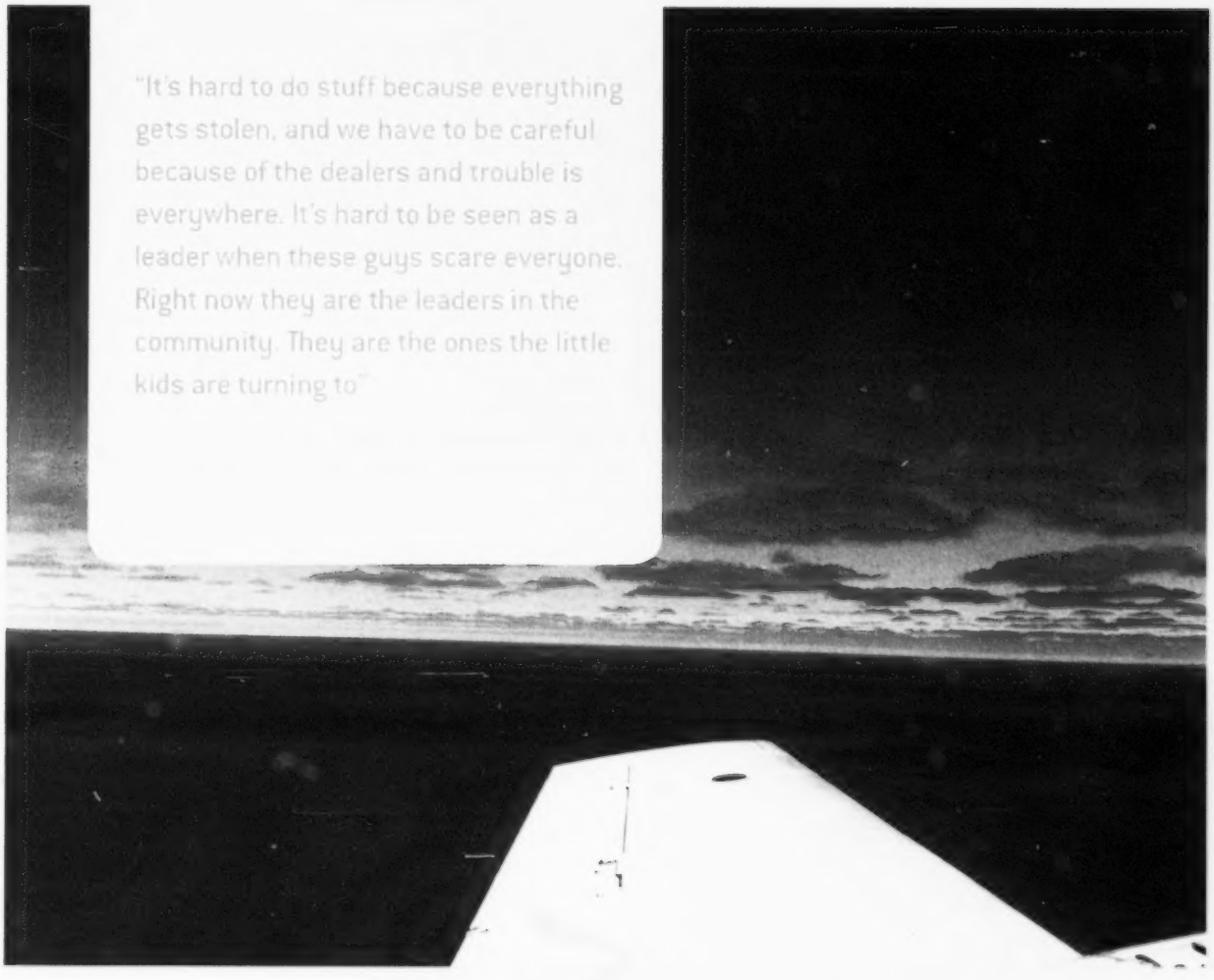
The Office's submission and the recommendations contained were based on extensive interviews with young people and incorporated their views in the form of direct quotes where possible. It reflected their concerns and

desire to affect change in the areas of resources and opportunities, education and schools, recreation and schools, family, culture and language. The Office's submission was incorporated in its entirety into the Chief Coroner's final report, released in September 2011.

We believe it is critically important that the voices of First Nations youth be included in reviews of issues and events impacting upon their lives and when formulating recommendations to bring about positive change. These young people are in the best position to articulate the many challenges they and their communities face – conditions that lead an alarming number of their peers to commit suicide and what can be done about them.

"There is no money for youth activities, no real core funding. We know programs come from excess revenues not any real interest in our needs"

—FIRST NATIONS YOUTH, QUOTED IN SUBMISSION TO THE CHIEF CORONOR'S REPORT


"It's hard to do stuff because everything gets stolen, and we have to be careful because of the dealers and trouble is everywhere. It's hard to be seen as a leader when these guys scare everyone. Right now they are the leaders in the community. They are the ones the little kids are turning to"

"I would like to talk to you about what it is like to be a child who grows up never seeing a real school. I want to tell you about children who give up hope and start dropping out in grade 4 or 5. But I also want to tell you about the determination in our community to build a better world."

— SHANNEN, 15, ATTAWAPISKAT FIRST NATION

THEY HAVE A DREAM

In 2011, the Office collaborated with the First Nations Child and Family Caring Society of Canada to produce, *Our Dreams Matter Too – An Alternate Report to the United Nations Committee on the Rights of the Child* (on the occasion of Canada's 3rd and 4th periodic review). The report grew out of a remarkable example of the power of listening to and amplifying young people's voices and their capacity for self-advocacy.

Shannen, a young girl in grade 8 from the Attawapiskat First Nation, dreamt of having a safe and 'comfy' school for her small and disadvantaged community because it didn't have one. She reasoned First Nations children deserved the same basic right of access to education as other Canadian children. So she campaigned to ask school children from across the country to write letters in support of the request for a school for Attawapiskat.

The recent coverage given to the struggles of the Attawapiskat First Nation add to the urgency of making Shannen's Dream a reality.

Our Dreams Matter Too fulfills Shannen's promise: to submit an alternate report to the United Nations Committee for the Rights of the Child. The report references Article 45 of the UNCRC and asks the Committee to send a special representative to Canada to review the discrepancies between education resources for First Nations and other Canadian Youth.

The report contains 38 letters from First Nations and other children attesting to the inequality and deplorable conditions

"If I was an adult and I was builder I would build a school for them"

for First Nation students, as well as statements and recommendations from the Caring Society and the Office of the Provincial Advocate. It has a unique layout and format thanks to the partnership with youth who helped shape its content and design.

Tragically, Shannen was killed in a car accident at age 15. Shannen's Dream is a movement that bears her name and today numbers thousands of children and adults seeking to honour this young leader's quest to improve education for First Nations children in her community and across the country.

In April of 2011, hundreds of Ottawa school children marched to Parliament Hill as part of a national day of action under the banner of Shannen's Dream to deliver letters of support for their First Nations peers.

As children's advocates, we know that when we help young people speak from their lived experience we gain greater understanding of the problems that affect their lives and the solutions that are most likely to change their circumstances.

It is clear the conditions of First Nations schools and education in Ontario's on reserve communities require immediate action.

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LADY EVELYN ALTERNATIVE SCHOOL

ALTERNATIVE SCHC

TAKING ACTION AT DENNIS FRANKLIN CROMARTY SCHOOL

Over the past ten years, seven students from the Dennis Franklin Cromarty School in Thunder Bay have died. The students were all from 'fly in' or 'remote' First Nation communities and had moved to Thunder Bay to go to high school. Some of these young people were as young as 15 years of age.

In 2011, The Provincial Advocate asked five Ontario Deputy Ministers from Ministry of Health and Long Term Care, Ministry of Children and Youth Services, Aboriginal Affairs, Health Promotion and Education to meet and address the need to bring increased focus to the needs of the young people attending Dennis Franklin Cromarty school and to look at steps that could be taken to prevent further deaths. The Office challenged them to create an immediate action plan to support students at the school. The Office has also supported the request for a public inquiry into the seven deaths of young people associated with the school.

Students at Dennis Franklin Cromarty need resources, including after-school programming, employment and mentorship opportunities, and addiction, support services and general counseling. They need an expanded orientation to their new urban environment which differs substantially from the community life they know at home. The involvement and support of elders and other positive adults in their lives at the school and away from school is essential. Unlike other children in Ontario, these students and their families have few options other than to send their children away to get their basic education. Children are disconnected from their families and their communities and when things get hard they are often on their own with limited guidance and support to try and sort out their problems and issues. It is in this place hope is lost and it is in this place that we have to come together to ensure resources are in place so that parents can know their children are doing well and have the resources they need to make the difficult transition to high school.

> "We have dreams and we want to realize them. Without this funding, some of us won't make it to college or university. We need an education to succeed in life"
>
> *— FIRST NATIONS YOUTH, OUR DREAMS MATTER TOO*

The five Ministries agreed to an action plan. Funding was obtained for after-school programming to be delivered through the Multicultural Association of Northwestern Ontario. In addition, funding has been committed to Dilico Anishinabek Family Care to increase mental health and outreach support services to the school. This funding will be used to provide a range of counselling and supports for youth who are experiencing social, emotional and behavioural problems. The Office encourages these Ministries to continue organizing and adding additional supports for this vulnerable group of young people.

Coroners' Inquests

Since 2008, the Advocate's Office has sought increased transparency and information sharing from the Coroner's Office about the deaths of children connected to the province's care system.

Children who died while connected to care were, literally, the province of Ontario's children, because of the state's obligation for their well-being. It is the collective responsibility of the government, service providers, the Advocate's Office, educators and all of us in the broader community to protect and support Ontario's children.

It is important to learn from the tragically short lives of these children in order to better serve the thousands of other children and youth in care, in children's mental health settings, and in custody, to whom the province of Ontario has made a commitment. These children are often invisible and the most vulnerable in the province.

Inquests are the only tool available to us to learn from these lost lives. They also present an opportunity to come together to make change and prevent further loss of life. The Office strongly believes recommendations arising from an inquest provide a critical safeguard for children and youth in care systems.

The Advocate's Office continues to be concerned by the number of inquests involving young people connected to the care system and the fact that many of these inquests raise similar issues that indicate an apparent failure of the care system to learn important lessons from these tragic deaths.

2011 INQUEST ACTIVITY

In 2011, the Advocate's Office participated in inquests into the deaths of four young people, including the death of Ashley Smith. The Advocate's Office also called for inquests into the deaths of children where there was a perceived need for a public examination of the facts pertaining to the child's death. Whenever we learn of children having died after being connected to the care system we seek information about these deaths.

The Advocate's Office is restricted by law from reporting on the particulars of the inquests and the deaths, if doing so would identify the children and youth who died. We require the consent of the family or other person legally authorized to give consent before we can report on the death. This is the case even if the death and the inquest is already a matter of public record.

For this reason, only the following information may be shared about the Advocate's Office inquest-related activity over the last year: Ashley Smith died in October, 2007 in the Federal Correctional System. She was one of many transitional aged youth in that system. It appears that, among other things, Federal correctional authorities failed to take Ms. Smith's youth status into account when planning for her. Further, it appears that officials relied extensively on the use of secure isolation, with tragic results.

The Provincial Advocate will participate in the inquest and to help shed light on the issues that face transitional youth in the Federal Correctional System. These issues include the effect of secure isolation on youth and the need for more youth-focussed training and resources within that system.

Of the three other inquests in which the Advocate's Office participated, two are complete and a third is on hold. The three inquests involved youth custody, child welfare and First Nations' issues.

THE ADVOCATE'S OFFICE AT INQUESTS

The role of the Advocate's Office is unique. We partner with young people connected to Ontario's systems of care to understand the issues youth face and to bring them forward. The challenge in each of these inquests is to find, among all of the adult voices, the voice of the young person who died.

We work to highlight to the Coroner, the parties with standing, the jury and the public, the value of listening to the voices of young people. Through this process the Office works with young people to create recommendations that focus on services that will ensure all our children live safe and protected lives.

HARNESSING THE VOICE AND EXPERIENCE OF YOUTH

The Advocate's Office partners with young people to amplify their concerns during inquests, often by liaising with organizations already working with youth experiencing similar issues.

The youth who help us with inquests are our expert consultants. Their expertise is developed through their lived experience with the province's systems of care, institutions, workers and youth mental health issues.

The story of a child who died in the care of the province is often told using the records of institutions and other agencies. These records are not designed to let the experiences of the young person shine through and when they are, the opportunity often has not been utilized. Our youth consultants help shed light on what the young person may have been going through.

In one case where young people assisted the Advocate's Office in understanding the issues facing youth and in developing recommendations, the jury accepted all of the Advocate's recommendations and adopted them as their own.

> "This was one of the most meaningful volunteer experiences I had because it was time limited, practical and fully empowered by staff and lawyers. By fully empowered, I mean that we were not sitting around talking about what, we thought, we were empowered to engage in a legal process that had real consequences and was important to all concerned stakeholders."
>
> *—YOUTH ALUMNI*

In many cases, young people identified issues in areas that were outside of the scope of the inquest but which were thought to be essential in preventing similar deaths in the future. For example, as reported in our previous annual report, First Nations youth in Thunder Bay provided an example of the wisdom youth possess. In response to the number of deaths of students from remote communities attending high school in Thunder Bay, Ontario, a youth group produced and released a report titled, *Reserved and Lost*. The report contained a number of recommendations aimed at reducing the risks young people face when attending school far from their home communities.

Our work at inquests demonstrates there is an opportunity for institutions, families and youth to come together to create real change for young people. Our work at these inquests has reinforced our view that if we intend to keep our children safe, then we need to ensure they have the resources and supports they need to make a successful transition to adulthood. When programs and services are designed with this end in mind, we will reduce the number of preventable deaths.

"Young people who die in care have lost their voice. They do not have natural guardians who will ensure that their story is heard. The Advocate is a youth in care's opportunity to have a voice."

—YOUTH ALUMNI

Financial Report

STATEMENT OF EXPENDITURE FOR THE YEAR ENDED MARCH 31, 2011

	2011 For the period April 1, 2010 to March 31,2011	2010 For the period April 1, 2009 to March 31,2010
Salaries & Wages	2,537,480	1,769,881
Employee Benefits	608,255	375,553
Transportation & Communication	532,569	306,680
Services	1,457,372	1,722,288
Supplies & Equipment	234,833	549,080
Total	**5,370,509**	**4,723,482**

NOTES TO FINANCIAL STATEMENT

For the Year Ended March 31, 2011

1. Background

The Office of the Provincial Advocate for Children and Youth serves children and youth in state care and the margins of state care through individual, systemic and policy advocacy. The office is mandated to strive to be an exemplar in youth participation at all levels of its work. The office is also mandated to take a special interest in children and youth with special needs, First Nations children and youth, children and youth in Ontario's schools for the deaf and blind and Ontario's Demonstration schools.

The Provincial Advocate for Children and Youth Act, 2007 was enacted to provide an independent voice for children and youth.

2. Significant Accounting Policies

The Office of the Provincial Advocate for Children and Youth follows the basis of accounting adopted for the Office of the Assembly as required by the Legislative Assembly Act and accordingly uses a modified cash basis of accounting, which allows an additional 30 days to pay for expenditures incurred during the year just ended.

This differs from Canadian generally accepted accounting principles in that, for example, liabilities incurred but unpaid within 30 days of the year just ended are not recorded until paid, and expenditures for assets such as computers and office furnishing are expensed in the year of acquisition rather than recorded as fixed assets and amortized over their useful lives.

Expenditures are reported net of recoverable sales tax which is recovered by the Office of the Assembly on the Office's behalf.

3. Expenditures

Expenditures are paid out of monies appropriated by the Legislature of the Province of Ontario. Financial and Human Resource services are provided by the Office of the Assembly without charge.

4. Employee Benefits

The Office's permanent employees (and non-permanent employees who elect to participate) participate in the Public Service Pension Fund (PSPF) which is a defined benefit pension for employees of the Province and many provincial agencies. The Province of Ontario, which is the sole sponsor of the PSPF, determines the Office's annual payments to the fund. As the sponsor is responsible for ensuring that the pension funds are financially viable, any surpluses or unfunded liabilities arising from statutory actuarial funding valuations are not assets or obligations of the Office. The Office's required annual payments of $185,024 (2010 - $128,020) are included in employee benefits.

The cost of unused vacation and earned legislated severance entitlements are recorded in the statement of Expenditure when paid.

The cost of post-retirement non-pension benefits are paid by the Province and is not included in the Statement of Expenditure.

5. Commitments

On February 26, 2009, the Office of the Provincial Advocate for Children and Youth leased a new office space for a term of 5 years with 2 extension options, commencing on December 1, 2009 and ending November 30, 2014. The lease requires future minimum rental payments for each fiscal year as follows:

Year ended March 31, 2012	192,209
2013	192,209
2014	192,209
2015	128,139
	704,766

closing message

Throughout the year, the Office of the Provincial Advocate for Children and Youth walks side-by-side with young people in the province's systems of care, listening to their concerns and witnessing their inspiring efforts to overcome the many challenges they often face.

More and more, we see that our youth need three essential things to be successful. They need resources, connections and voice.

Resources are the practical things many Ontarians take for granted: safe shelter, nutritious food, and access to education, health care and employment opportunities. Yet, young people in our systems often face real barriers when it comes to obtaining access to these basic resources, as well as conditions that can help them to reach their full potential.

We need to remember when young people ask for support, it's more than a plea for survival. They are also asking that we send them a message. Giving them the resources they need shows we believe they are worth investing in, they are valued, and we know they can achieve great things.

Studies on child and youth development point to the importance of stable, positive adult relationships in the life of a young person. However, for many children and youth growing up in our systems, these points of connection can be few and far between. Each time a young person in foster care or a custodial facility moves, relationships are broken. Fragmented services in the area of children's mental health can make feelings of belonging extremely difficult to forge and maintain.

To be truly effective, the ways we support youth in forming connections will need to be as varied as the young people themselves. For some, adoptive families will be most appropriate. For others, safe places to be (like community centres, religious and peer groups) will have the most impact. By understanding how youth in care define 'family,' we can adapt the services we offer to support them in creating and maintaining ties.

The remaining component is just as crucial: voice. With a strong voice, young people can ask for and make use of the resources and connections they need. Without voice, they remain unheard and invisible.

As a province, we must do better. We need to build a children's service system that provides each youth in our care with the unique combination of resources, connections and voice they need to be successful. It's not easy, but if we want our children in provincial care to live full, healthy lives and become independent adults, we have to invest in them now.

Fortunately, we believe the opportunity to create a truly viable children's service system exists today.

Le rêve de
Shannon

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